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Agenda item 3

PRINCIPLES ON GENERAL RIGHTS AND OBLIGATIONS

Proposal submitted by Denmark, Iceland, Norway and Sweden

EARTH CHARTER. ELEMENTS FOR CONSIDERATION

I. Preamble

1. Overall developments in international relations in recent years which offer unprecedented opportunities for progress in international cooperation;

2. New and increasing threats such as unacceptable poverty and not sustainable lifestyles of the affluent as well as environmental deterioration jeopardizing the long-term survival of the fragile global ecosystem;

3. Political imperatives of the interdependence between nations;

4. Reference to the Declaration of the United Nations Conference on the Human Environment, held in Stockholm in 1972, 1/ and other relevant declarations or resolutions;

5. Reference to present global environmental problems:

(a) Special situations of developing countries;

(b) Sustainable development and consumption patterns;

6. Reference to the need for developing international environmental law giving due attention inter alia to the prevention and settlement of disputes concerning the environment.

II. Principles

1. Environmental protection and economic and social development ultimately cannot be achieved at the expense of each other. Environment and development goals should be pursued simultaneously, in an integrated fashion.

2. States and people share a common goal to promote environmentally sound, sustainable development for all. They should seek to attain this goal by individual and collective action, contributing in accordance with their respective responsibilities and capacities, and with special regard for the needs of economically disadvantaged countries and people.

3. Sustainable development requires States, individuals and social groups to strive to eradicate poverty, to eliminate or avoid unsustainable patterns of production and consumption and to create humane working environments.

4. Recognition that threats to the environment may constitute threats to the maintenance of international peace and security.

5. States shall recognize and take special measures to safeguard the special relationship of indigenous peoples to the environment and acknowledge that they may decide their own priorities in the process of development.

6. States shall act to ensure the incorporation of women's perspectives, aspirations, needs, concerns and participation at all levels and in all sectors relating to promotion of sustainable development.

7. States have the sovereign right to exploit their own natural resources and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction.

8. Everyone has the right to an environment adequate for his/her general health and well-being and has the responsibility to protect and conserve the environment for the benefit of present and future generations.

9. Democracy and a well functioning market economy are of fundamental importance for a sustainable development. Markets should reflect full economic accounting of environmental costs and benefits, and market forces and mechanisms, and other economic instruments should be harnessed to achieve sustainable development goals.

10. Everyone has the right:

(a) To participate in the decision-making process for activities which do or could have a significant impact on the environment;

(b) Of access to adequate information relevant to the environment, including information on products and activities that could or do significantly affect the environment and on environmental protection measures;

(c) Of access to administrative and judicial proceedings concerning activities that could or do have a significant adverse impact on the environment equal to that of those resident in the State where the activity takes place.

11. States should adopt precautionary and preventive approaches when planning and undertaking activities, to anticipate, prevent and attack the causes of environmental degradation. Lack of full scientific certainty should not be a reason in itself for postponing effective measures to prevent environmental degradation.

12. States have the responsibility to ensure that actions which could have a significant impact on the environment shall be made subject to a prior assessment of the effects on the environment and to prior authorization made in the light of that assessment.

13. States and enterprises shall ensure that all economic transactions and products bear the full costs of the environmental risks and impacts to which they give rise.

Notes

1/ Report of the United Nations Conference on the Human Environment, Stockholm, 5-16 June 1972 (United Nations publication, Sales No. E.73.II.A.14), chap. I.